

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

IN RE:	)	
	)	
ALLEN FRANCIS LESSIE and	)	CASE NO. 10-02471-JKC-7A
KATHRYN ANN MINX,	)	
	)	
Debtor.	)	
_____	)	
JENICE GOLSON DUNLAP,	)	
Chapter 7 Trustee,	)	
	)	
Plaintiff,	)	ADVERSARY NO. 10-50448
	)	
vs.	)	
	)	
WACHOVIA BANK, N.A.;	)	
BERKELEY HALL CLUB, INC.;	)	
ALLEN FRANCIS LESSIE and	)	
KATHRYN ANN MINX,	)	
	)	
Defendants.	)	

**AGREED ENTRY**

Comes now Jenice Golson Dunlap, Chapter 7 Trustee and plaintiff herein, by counsel, Paul D. Gresk, and Berkeley Hall Club, Inc., a defendant herein, by counsel, Gary Lynn Hostetler, and jointly stipulate and agree as follows:

1. The judgment referenced in plaintiff's Complaint is avoidable pursuant to the provisions of 11 U.S.C. §547(b). However, pursuant to the Covenants, Conditions and Restrictions running with the land which is the subject of the above-referenced adversary proceeding, Berkeley Hall Club, Inc., has a lien on the real estate which is unavoidable.

2. Plaintiff agrees that all outstanding and unpaid assessment on the property shall be paid at closing from the net proceeds received by plaintiff after payment of taxes and other closing costs related to the property.

ALL THE ABOVE IS AGREED TO this 12<sup>th</sup> day of August, 2010.

GRESK & SINGLETON

HOSTETLER & KOWALIK, P.C.

By /s/ Paul D. Gresk  
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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

- Deborah Caruso dcaruso@daleeke.com,  
lharves@daleeke.com;mthomas@daleeke.com
- Jenice Golson Dunlap jgolson-dunlap@epiqtrustee.com
- Meredith R. Thomas mthomas@daleeke.com, kmark@daleeke.com
- U.S. Trustee ustpreion10.in.ecf@usdoj.gov

I further certify that on August 12, 2010, a copy of the foregoing was mailed by first-class United States Mail, postage prepaid, and properly addressed to the following:

N/A

/s/ Gary Lynn Hostetler \_\_\_\_\_

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